

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF MCKENZIE

NORTHWEST JUDICIAL DISTRICT

Brad Lodholtz and Courtney Lodholtz,

Plaintiffs,

vs.

Continental Resources, Inc.,

Defendant.

Civil No.:

**COMPLAINT AND DEMAND
FOR JURY TRIAL**

[¶1] Plaintiffs, for their complaint against Defendant, state and allege as follows:

PARTIES, JURISDICTION, AND VENUE

[¶2] Plaintiff Brad Lodholtz ("Lodholtz") is a resident of the State of Michigan and is 30 years old (age 28 at the time of injury). Plaintiff Courtney Lodholtz is the wife of Lodholtz and is a resident of the State of Michigan.

[¶3] Defendant Continental Resources, Inc. ("Continental") is an Oklahoma corporation that conducts business in the State of North Dakota.

[¶4] This Court has jurisdiction over the parties.

[¶5] Venue is proper in this Court.

FACTS

[¶6] In December 2013 Lodholtz was employed by Rink Construction ("Rink"), a subcontractor of Continental.

[¶7] Rink hauls clean water to drill sites, builds roads to well sites, and does servicing and maintenance on wells after they have been drilled. Rink hauls production water as well.

[¶8] Rink installs piping, brings in heavy equipment to grade and build up pads for

tank sites, and performs well maintenance. It also maintains pumping units, treaters, and separators. It does general excavation. It engages in trucking and hauls water and scoria. Rink has tanker trucks as well as dump trucks.

[¶9] Rink works on Continental well sites within a 50 mile radius of its shop in Keene, North Dakota. Rink does some of Continental's well maintenance.

[¶10] Lodholtz became a supervisor of a Rink maintenance crew in April 2013. Lodholtz's job duties included oil site maintenance, supervision, and repair. Lodholtz was earning \$22 per hour with lots of overtime in December, 2013.

[¶11] On December 17, 2013, Lodholtz was dispatched to a well site known as Bohmbach Antelope Eco Pad site. The site of the well is Continental Resources Bohmbach 4-35H. The legal description is SW SE Section 23 T153N-R94W McKenzie County, North Dakota API#33-053-03769, permit #21491 NDM98772.

[¶12] Lodholtz was dispatched by Continental's forman Dan Becker to look at the well flow lines that were not operational. Upon arrival at the well, Lodholtz found that the pumping unit was still in operation.

[¶13] Lodholtz began working on the flow lines. He determined that the choke was iced up on the bottom of the flow line. While working on the flow lines, the surface casing riser released a large amount of pressure causing air and gas to strike Lodholtz, propelling him into the air, causing him to land on his head and sustain severe and life threatening injuries.

COUNT ONE – NEGLIGENCE (CONTINENTAL)

[¶14] Upon information and belief, the surface casing riser was assembled by Continental and/or a subcontractor of Continental in a negligent manner.

[¶15] Continental had a duty to make sure that the surface casing riser was assembled

in a proper manner for use on its wells.

[¶16] Continental breached its duty and said breach was the proximate cause of severe and life-threatening injuries sustained by Lodholtz.

[¶17] Continental also had a duty to shut off the pumping unit when it knew that Rink would be arriving on its well site to look at the flow lines.

[¶18] Continental failed to shut off the pumping unit, causing pressure to continue to build in the flow line.

[¶19] This breach of duty was the proximate cause of severe and life-threatening injuries sustained by Lodholtz.

[¶20] Continental had a duty to insure that the surface casing riser was assembled in a non-negligent manner.

[¶21] Continental breached that duty and said breach was the proximate cause of severe and life-threatening injuries to Lodholtz.

COUNT TWO – LOSS OF CONSORTIUM (CONTINENTAL)

[¶22] Courtney Lodholtz has suffered the loss of consortium, society, comfort, and relations of her husband as a result of his injuries.

[¶23] **WHEREFORE**, Plaintiffs pray for relief as follows:

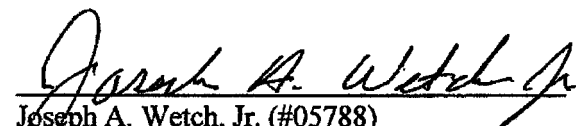
[¶24] For economic and non-economic losses in a reasonable amount to be proven at trial, but not less than \$50,000;

[¶25] For their costs and disbursements incurred in this matter; and

[¶26] For such other further relief as this Court deems just and equitable.

[¶27] Plaintiffs demand a trial by jury.

Dated this 29 day of July, 2015.


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